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I HEREBY CERTIFY THAT THIS PAPER AND EVERY PAPER REFERRED TO THEREIN AS BEING ENCLOSED IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, IN AN ENVELOPE ADDRESSED TO: COMMISSIONER OF PATENTS & TRADEMARKS, WASHINGTON, DC 20231,

ON July 19, 2000 (DATE OF DEPOSIT)

DATE

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0161759490-US3

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Michael L. MARIN and Ralph MARIN

Serial No.: 09/504,732

Group Art Unit: 3731

Filed: February 16, 2000

Examiner: W. Lewis

For: METHOD FOR ENDOLUMINALLY EXCLUDING AN AORTIC ANEURYSM  
(As Amendmed)

**-----  
TERMINAL DISCLAIMER TO OBVIATE  
A DOUBLE PATENTING REJECTION**

Hon. Commissioner of  
Patents and Trademarks  
Washington, DC 20231

July 19, 2000

Sir:

The undersigned is an attorney of record in the above-identified patent application, of which Teramed, Inc., located at 6655 Wedgewood Road, Suite 150, Maple Grove, Minnesota 55311, is the owner of the entire right, title, and interest in the above-identified patent application by assignment from the inventors.

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The assignment document is dated October 17, 1994 and was recorded by the U.S. Patent and Trademark Office on October 18, 1994, at Reel 7192, Frame 0144. A change of name from Endovascular Systems, Inc. to Teramed, Inc. is being made of record to the Assignment Branch together with the filing of this paper.

Teramed, Inc. hereby disclaims, except as provided below, the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of U.S. patent No. 6,039,749 or 5,443,477 and hereby agrees that the granted patent shall be enforceable only during such period that the legal title to said granted patent shall be the same as the legal title to any U.S. Patent granted on the above-identified patent application, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors and assigns.

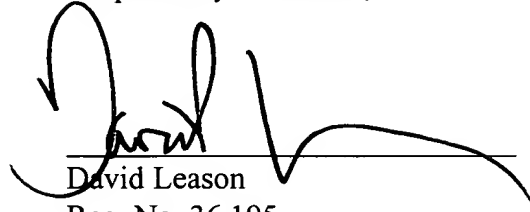
The statutory fee of \$110.00 for a disclaimer is enclosed.

Teramed, Inc. does not disclaim any terminal part of any patent granted on the above-identified U.S. patent application prior to the expiration date of the full statutory term of U.S. Patent No. 6,039,749 or 5,443,477, in the event that either U.S. Patent No. 6,039,749 or 5,443,477 later:

- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a); or

- has all claims cancelled by a reexamination  
certificate.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'David Leason', is written over a horizontal line.

David Leason  
Reg. No. 36,195  
Attorney For Applicant(s)

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